

*(Detach and retain Instructions for future reference)*

## **INSTRUCTIONS FOR COMPLETING APPLICATION FOR COMPENSATION OR PENSION**

### **GENERAL INSTRUCTIONS**

(PLEASE READ VERY CAREFULLY.)

If additional space is needed for any item, use Item 40, "Remarks," page 10, or number a separate sheet of paper to correspond to the items you are answering and attach the sheet to the application.

**A. DISABILITY COMPENSATION** is paid for disability resulting from service in the armed forces. An additional amount of compensation may be payable for a spouse, child, and/or dependent parent when a veteran is entitled to compensation based on disability(ies) evaluated as 30 percent or more disabling. The additional benefit for a spouse is payable in a higher amount when he/she is a patient in a nursing home or is so disabled as to require the regular aid and attendance of another person. **IF YOU ARE NOT CLAIMING COMPENSATION FOR A SERVICE-CONNECTED DISABILITY, SKIP ITEMS 19, 20 AND 21.**

**DISABILITY PENSION** is paid for permanent and total disability not the result of service in the armed forces. Pension can only be paid to a veteran of wartime service or to a veteran who served in one of the following periods: after June 26, 1950, and before February 1, 1955; after August 4, 1964, and before May 8, 1975; after August 1, 1990, and before a date to be determined by the President or by law.

Benefits may only be paid from the first day of the month following the date of receipt of your application in VA unless you were incapacitated because of a disability which prevented you from filing a claim for a period of at least 30 days beginning with the date you became permanently and totally disabled. If you want this claim considered as a claim for retroactive payment, indicate so in Item 40, "Remarks," and identify the specific disability which prevented you from filing.

**B. AUTHORIZATION FOR RELEASE OF INFORMATION.** Complete and return the attached VA Forms 21-4142 to authorize release of information from any doctors and/or hospitals providing any treatment you received. Please complete every item, and give the complete names and addresses of hospitals/doctors. You do not need to complete these forms for the treatment received at a VA facility. Be sure to sign and date the form. If you wish, you may contact the doctors or hospitals yourself and authorize the release of this information to us. This may reduce the amount of time required to process your claim.

**C. REPRESENTATION.** You may be represented, without charge, by an accredited representative of a veterans organization or other service organization recognized by the Secretary of the Department of Veterans Affairs. You may also be represented by an agent or an attorney, for example, an attorney in private practice or a legal aid attorney. However, under 38 U.S.C. 3404(c), an agent or attorney is allowed to charge only for services performed after you receive a final decision by the Board of Veterans Appeals. If you desire representation, let us know and we will send you the necessary forms. If you have already designated a representative, no further action on your part is required.

**D. HEARINGS.** You have the right to a personal hearing at any stage of claims processing, either before or after a decision is made. All you need do is inform the nearest VA office and we will arrange a time and place for the hearing. You may bring witnesses and their testimony will be entered in the record. VA will furnish the hearing room, provide hearing officials, and prepare the transcript of the proceedings. VA cannot pay any of your expenses in connection with the hearing.

**E. EVIDENCE - GENERAL.** If you have not previously filed a claim, furnish the separation forms you received from the armed forces. A statement from your doctor showing the extent of your disabilities should be furnished with your application. If you are a nursing home patient, you should furnish a statement signed by an official of the nursing home showing the date of your admission and patient status. Indicate nursing/Medicaid status in Item 41F. If you are a patient in a nursing home, give the name and address in Item 40, "Remarks."

**F. REPORTING NET WORTH FOR PENSION FOR DISABILITY NOT RESULTING FROM SERVICE.** Pension cannot be paid if net worth is sizeable. Net worth is the market value of all interest or rights in any kind of property except ordinary personal effects necessary for daily living such as automobile, clothing or furniture and the dwelling (single family unit) used as your principal residence. Therefore, all other assets must be reported so that we may determine whether net worth prevents you from receiving pension benefits. "Market Value" is the price an item would get if it were sold in an open market.